



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JAN 25 2008

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7004 2510 0006 9726 5592

Inspection No.: 010808 F1842 01

Tom Smith
Owner
Greenleaf, LLC
13960 Palm Road
Neosho, MO 64850

Dear Mr. Smith:

STOP SALE, USE, OR REMOVAL ORDER

Enclosed is a **STOP SALE, USE, OR REMOVAL ORDER (SSURO)** which directs you to immediately halt all distribution and use of the pesticides in the enclosed document. These products are being placed under a federal SSURO because we have reason to believe that the products, which were being offered for sale or distribution, are misbranded.

Please contact Akilah Nicks at 913-551-7476 if you have any questions regarding this matter.

Sincerely,

Harriet Jones
for Jamie Green, Chief
Toxics and Pesticides Branch

Enclosure

cc: Robert Applegarth, Plant Manager, Greenleaf, LLC,
13960 Palm Road, Neosho, MO 64850
Paul Bailey, Missouri Department of Agriculture
John Brunnert, Missouri Department of Agriculture



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

IN THE MATTER OF:

Greenleaf, LLC
13960 Palm Road
Neosho, MO 64850

Respondent

)
) **STOP SALE, USE, OR**
) **REMOVAL ORDER**
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I. AUTHORITIES AND BACKGROUND

1. Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136k(a), authorizes the Administrator of the U.S. Environmental Protection Agency (EPA) to issue an order prohibiting the sale, use, or removal of any pesticide or device by any person who owns, controls, or has custody of such pesticide or device whenever there is reason to believe that the pesticide or device is in violation of any provision of FIFRA, or the pesticide or device has been or is intended to be distributed or sold in violation of any provision of FIFRA.

This authority has been delegated from the Administrator of the EPA to the Regional Administrator, Region VII, and then to the Director of the Water, Wetlands and Pesticides Division, Region VII. Further delegation has been made to the Chief, Toxics and Pesticides Branch.

2. On January 8, 2008, a representative of the Missouri Department of Agriculture inspected your facility located at 13960 Palm Road, Neosho, MO, and documented forty-three misbranded pesticides listed in Paragraph 5.

3. The pesticides named above were misbranded in that the bulk bins and small containers did not display required pesticide labeling. Labeling of bulk bins was limited to handwritten signs displaying simple trade names and the price per pound. Small containers of the repackaged pesticides displayed printed stickers usually listing only the trade name and net contents. EPA registration and establishment numbers, active ingredient statements and directions for use were not displayed on any of the pesticides found held for sale and distribution at Greenleaf, LLC. Trade names listed on signs and stickers did not match the trade names listed on labels in many cases.

4. Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E) provides that it is unlawful for any person in any state to distribute or sell to any person any pesticide which is misbranded.

II. ORDER

5. Respondent is hereby ordered NOT to distribute, sell, use, or remove the pesticides listed below which are misbranded.

Trade Name	EPA Reg. No.	Quantity
Ant, Flea & Tick Killer	Unknown	two 2 to 3 pound bags
Fertilizer with Weed Control	83893-1	estimated 50,000 pounds
Fire Ant & Preventer Bait	89893-6	estimated 20,000 pounds
Kills Dolarweed	Unknown	estimated 8 pound bin
Yard Granules Prevents Weeds	Unknown	two estimated 100 lb. bins
Grub Control II	Unknown	estimated 80 pound bin
Grub Control I	Unknown	estimated 250 pound bin
Flea & Tick Carpet Powder	Unknown	one 2 pound bag
Gopher Begone	Unknown	one 5 pound
Broadleaf Weed Stopper	Unknown	three 27 pound pails
Ant, Flea & Tick Killer	Unknown	one 30 pound bag
Ant, Flea & Tick Killer	Unknown	two 25 pound jugs
Ant, Flea & Tick Killer	Unknown	one 21 pound pail
Crabgrass Stopper	Unknown	estimated 7 pound bin
Triple Play Fertilizer and Weed Killer and Pesticide	Unknown	estimated 250 pound bin
Broadleaf Weed Preventer	Unknown	estimated 100 pound bin
Yard Fungus Control	Unknown	estimated 300 to 400 lb. bin
Fungus Begone	Unknown	estimated 200 pound bin

Trade Name	EPA Reg. No.	Quantity
Fertilizer with Moss Control	Unknown	estimated 250 to 300 lb. bin
Grub Control	Unknown	estimated 2,700 pound bin
Grub Control	Unknown	estimated 3,000 pound bin
Ant, Flea & Tick Killer	Unknown	thirty 30 pound bags
Crabgrass Preventer	Unknown	estimated 2,700 pound bin
All Purpose Insect Killer	Unknown	two bins estimated 1,900 lbs.
Low Nitrate Weed & Feed	Unknown	estimated 750 pound bin
Control of Diseases Lawn Fungicide	Unknown	estimated 250 pound bin
Fall Weed & Feed	Unknown	estimated 1,500 pound bin
Lawn Fungus Control	Unknown	estimated 750 pound bin
Weed Preventer Granules	Unknown	estimated 650 pound bin
Ant, Flea & Tick Killer	Unknown	estimated 3,000 pound bin
22-2-2 with Moss Control	Unknown	estimated 600 pound bin
Broadleaf Weed Preventer	Unknown	estimated 450 pound bin
5% Insect Dust	Unknown	estimated 800 pound bin
Ant, Flea & Tick Killer	Unknown	estimated 700 pound bin
Snail & Slug Killer 1	Unknown	estimated 50 pound bin
Snail & Slug Killer 2	Unknown	two estimated 50 pound bins
Bug Bait	Unknown	estimated 5 pound bin
10% Dust	Unknown	estimated 200 pound drum
50% Weed Killer	Unknown	one gallon jug

Trade Name	EPA Reg. No.	Quantity
Snail & Slug Killer	Unknown	four 5 pound bags
5% Insect Dust	Unknown	eight 5 pound bags
5% Insect Dust	Unknown	two 10 pound bags
Fire Ant Killer	Unknown	estimated 25 pound box

6. This Order shall pertain to all quantities and sizes of the products listed above which are within the ownership, control or custody of Respondent, wherever these pesticides are located. The products shall not be sold, offered for sale, held for sale, shipped, delivered for shipment, received and, having been so received, delivered, offered for delivery, or removed from the premises, for any reason. This Order extends to the offering for sale, or sale, of pesticides from an Internet web site or any other source of advertising.

7. Respondent is further ordered to notify this office in writing, within ten days, of receipt of the Order, of your plans for disposition of these products. You should contact Akilah Nicks of this office at (913) 551-7476 to discuss your options.

8. Violation of the terms or provisions of this Order may subject the violator to civil or criminal penalties as prescribed in Section 14 of FIFRA, 7 U.S.C. § 136l.

9. The issuance of this Order shall not act as a waiver by EPA of any enforcement or other authority available to EPA under FIFRA.

10. This Order shall be EFFECTIVE IMMEDIATELY upon receipt by Respondent.

11/25/08

Date

Jamie Green

Jamie Green, Chief
Toxics and Pesticides Branch